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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

WAYNE McFARLIN,

Plaintiff,

v.

EDWARD GORMLEY, an individual; CITY
OF McMinnville, a Municipal Corporation;
CITY COUNTY INSURANCE SERVICES
TRUST; ROD BROWN, an individual;
PUBLIC SAFETY LIABILITY MANAGEMENT
INC., an Oregon corporation; WALDO
FARNHAM,

Defendants.

Case No.: 3:06 CV 01594-HU

**DEFENDANT WALDO FARNHAM'S
MOTION FOR SUMMARY JUDGMENT**

ORAL ARGUMENT REQUESTED

LOCAL RULE 7.1 CERTIFICATION

The undersigned counsel certifies that a good faith effort has been made to resolve the subject matter of this motion and the Court's ruling is necessary on this matter.

Undersigned counsel contacted plaintiff's counsel's office during office hours on October 11, 2007, to discuss this matter and was directed to plaintiff's counsel's voice mail at which time a detailed message regarding the basis for Farnham's motion was provided. A follow up e-

mail was then sent to plaintiff's counsel reiterating the basis for Farnham's motion on October 11, 2007.

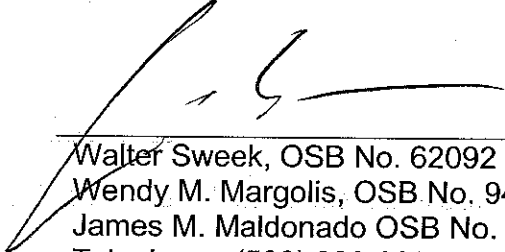
MOTION

Pursuant to Federal Rule of Civil Procedure 56 and Local Rule 56.1, defendant Waldo Farnham moves for summary judgment on all of plaintiff's claims.

This motion is based on the Court Record, Memorandum of Law, Concise Statement of Material Facts as well as the Declaration of James M. Maldonado and attached exhibits.

DATED: October 12, 2007

COSGRAVE VERGEER KESTER LLP



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Attorneys for Defendant Farnham

Trial Attorney: Walter Sweek OSB No. 62092

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing DEFENDANT
WALDO FARNHAM'S MOTION FOR SUMMARY JUDGMENT on the date indicated below
by:

- ☒ mail with postage prepaid, deposited in the US mail at Portland, Oregon,
☐ hand delivery,
☐ facsimile transmission,
☐ overnight delivery,

I further certify that said copy was placed in a sealed envelope delivered as
indicated above and addressed to said attorney(s) at the address(es) listed below:

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DATED: October 12, 2007


James M. Maldonado